App. No. 09/721,881

Art Unit 3738

P-4566.00

REMARKS

Claim 3 has been canceled. Claim 1 has been amended. Claims 1, 2, 4, 5, 6 & 7 remain pending in the application. Support amended claim 1 can be found in cancelled claim 3 and the specification. The applicant hereby requests further examination and reconsideration of the application in view of the foregoing amendments and following response.

Claim Rejections - 35 USC § 102

Claims 1-2 and 4-8 stand rejected under 35 U.S.C. 102 as being anticipated by Whitourne et al. 6,220,483. Applicants respectfully traverse these rejections. Independent claim 1 has been amended to rewrite claim 3 in independent form, and independent claim 8 has been cancelled. Since the examiner indicated that claim 3 would be allowable if rewritten in independent form and claims 2 and 4-7 are directly or indirectly dependent on claim 1 (amended), applicants believe claim 1 (amended) and those claims dependent thereon overcome the rejection. The cancellation of claim 8 renders the examiner's rejection of this claim moot. Accordingly, applicants believe claims 1 (amended), 2 and 4-7 are in condition for allowance.

Allowable Subject Matter

Claim 3 stands objected to as being dependent upon a rejected base claim but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Independent claim 1 has been amended to rewrite claim 3 in independent form. Accordingly, applicants believe that claim 1 (amended) and claims 2 and 4-7 are directly or indirectly dependent on claim 1 (amended) are in condition for allowance.

In view of the above, it is submitted that all claims pending in the application are in condition for allowance. Accordingly, allowance of claims 1, 2 and 4-7 is respectfully requested. Recognizing that Internet communications are not secure, I hereby authorize the USPTO to communicate with me concerning any subject matter of this application by

App. No. 09/721,881

Art Unit 3738

P-4566.00

electronic mail at the address below. I understand that a copy of these communications will be made of record in the application file. M.P.E.P. § 502.03.

Respectfully submitted,

Date: 15 APR 2003

Customer No. 27581
Medtronic World Headquarters
Patent Department, MS: LC340
710 Medtronic Parkway
Minneapolis, MN 55432-5604

Eric R. Waldkoetter

Attorney Reg. No. 36,713 Located in The Netherlands (ET + 6 hours)

Office Tel 011 (31-43) 356-6845 Cell Tel 011 (31) 6 5155-9936

Office Fax 011 (31-43) 356-6521 eric.waldkoetter@medtronic.com